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MAILED

MAY 17 2006

TECHNOLOGY CENTER 2100

In re Application of: Jean-Philippe)
CHAMPAGNE) DECISION ON PETITION TO
Application No. 09/834,796) WITHDRAW HOLDING OF
Attorney Docket No. CIS01-02(3665)) ABANDONMENT UNDER 37 CFR,
Filed: April 13, 2001) §1.181
For: METHODS AND APPARATUS FOR)
TRANSMITTING INFORMATION IN A
NETWORK

This is a decision on the petition to withdraw the holding of abandonment, under 37 CFR §1.181, filed on May 16, 2005.

The instant application became abandoned for failure to timely respond to the Office action mailed August 13, 2004. A notice of abandonment was mailed on March 22, 2005. A grantable petition must include a copy of the response and proof of timely filing of the response. An Office generated FAX receipt that properly identify the contents of the submission, A stamped post card receipt with an indication of the documents filed therewith, or properly used certificates of mail and transmission that include a 37 CFR §1.8(b)(3) statement will be acceptable. No fee is required.

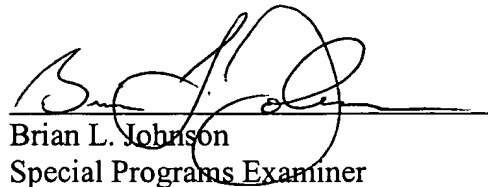
Petitioner has provided evidence in the petition that includes: a copy of the response and transmittal form having a certificate of mailing date under 37 C.F.R. §1.8 of November 15, 2004; copy of post card receipt (bearing a USPTO date stamp of November 18, 2004); copy of check in the amount of \$72.00 for additional claims fee; authorization to charge (additional) fees to deposit account 50-0901; and certificate of mailing and personal knowledge declarant statements by Tammy L. Rosado and Jeffrey J. Duquette (treated under 37 CFR §1.8(b)(3)).

In addition, it is noted that the response filed November 15, 2004 has since been matched with the application and is currently part of the file record. Declarant Jeffrey J. Duquette indicates that the application serial number was misidentified on some of the papers filed as 10/834,796, rather than 09/834,796. This typographical error may have resulted in the delay in matching the response to the correct application.

Petitioner has established that a response was timely filed on November 15, 2004. Since all of the criteria set forth above have been met, the petition is **GRANTED**. The Notice of Abandonment is hereby **WITHDRAWN**.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to **WITHDRAW** the holding of abandonment (restore the instant application to pending status), to **PROCESS** the amendment filed November 15, 2004 and to **CHARGE** and **REFUND** fees as indicated below. The application will then be forwarded to the examiner for prompt action on the merits.

Note, the fee for additional claims (\$72) will be **CHARGED** to deposit account 50-0901 (since the original check is not available) for the instant application SN 09/834,796 and correspondingly, the fee in the amount of (\$72) will be **REFUNDED** to deposit account 50-0901 for case SN 10/834,796 (originally paid by check).

A handwritten signature in black ink, appearing to read 'Brian L. Johnson', is written over a horizontal line.

Brian L. Johnson
Special Programs Examiner
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